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C O N F I D E N T I A L SECTION 01 OF 07 HANOI 001390

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STATE FOR EAP/MLS, DRL/AWH, AND DRL/IRF

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SUBJECT: TOP SECURITY OFFICIAL DISCUSSES DISSIDENTS, CHINA
WITH AMBASSADOR

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Classified By: Ambassador Michael W. Marine for Reasons 1.4 (b), (c), and (d).

SUMMARY

¶1. (C) In a long, wide-ranging discussion August 2, Vice Minister of Public Security (MPS) Nguyen Van Huong, Vietnam's head of "general security" and intelligence gave his frank views on a broad range of key bilateral issues including political dissidents, prisoners and detainees, religious freedom, trafficking in persons and governance. He also commented at length on regional geo-politics and Vietnam's balancing act between the United States and China. The Ambassador underscored our human rights concerns, called for the release of high-profile prisoners and detainees, and passed lists of other prisoners of concern. Huong responded by describing the justification for their detention and offering to share the government's evidence. Huong's rationalization of hard-line tactics is not surprising, given that he is charged with ensuring regime stability. What is surprising is that we have such good access to him. Huong sees himself as an important player in the United States-Vietnam relationship, and he has taken credit for arranging past releases of prisoners of concern "for the sake of improving ties." His comments on China reflect Hanoi's confusion, frustration and concern in the face of Beijing's recent pressure over the development off-shore oil resources. He also mentioned policy toward Burma. End Summary.

MARATHON MEETING WITH MPS

¶2. (C) On August 2, Standing Vice Minister of Public Security Nguyen Van Huong hosted the Ambassador for a marathon two and a half hour farewell call, followed by a two hour dinner. The 61-year old Huong sits on the powerful Central Party Committee and is the GVN official in charge of intelligence operations and the protection of the regime against perceived threats, for example from dissidents or terrorists. Huong began the session by praising Ambassador Marine's three years of diplomatic endeavors in Vietnam, particularly his work on improving the bilateral security relationship and the trade relationship through his support on WTO membership and permanent normal trade relations (PNTR) status for Vietnam. Huong also cited the Ambassador's work on humanitarian issues, including HIV/AIDS; and even his interactions with the MPS leading to a reduction of tensions, for example in

the area of religious freedom. He criticized the Ambassador's policy of meeting with leading political dissidents, but softened this criticism by attributing the Ambassador's actions to "the pressures of U.S. public opinion."

MPS: WE ALLOW DISSENT; USG: WE NEED ACCESS TO CONFIRM THIS

13. (C) Huong declared that the GVN allows "political dissent," noting that newspapers carry criticisms of the government every day in the newspapers, Huong said. Vietnam takes action only against those dissidents who put their thoughts into "actions" that constitute violations of law. These individuals are then subject to arrest and prosecution.

As examples of such actions, Huong cited attempts to set up anti-government organizations and illegal political parties, attempting to rally people to illegally protest, using the internet to spread ideas hostile to the regime and insulting Ho Chi Minh. Huong said our bilateral relationship should not be "held hostage" to what he sees as a few rogue individuals who have little support among the general public.

14. (C) The Ambassador explained to Huong the value that respect for human rights plays in U.S. foreign policy and in U.S. society. His policy of meeting with dissidents is consistent with this important principle. The USG would remain interested in those persons in Vietnam and around the world that are "punished severely" in our view for what the USG considers expressing peaceful political opinion and defending basic human rights, the Ambassador continued. He agreed the media sometimes distorts the truth about Vietnam and some groups in the United States disseminate misinformation. This is another important reason why the U.S. Ambassador and his staff must be able seek and get

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accurate information, including from individual Vietnamese themselves, be they prisoners or those subject to home arrest or government harassment.

15. (C) The Ambassador emphasized to the Vice Minister that having the ability to approach human rights issue in a constructive way can only help move our bilateral relationship forward. He gave Huong two lists of persons of concern: prisoners eligible for amnesty under GVN regulations, and individuals who have been detained for longer than six months, without charges. He acknowledged that most on the lists were not high-profile names, yet the USG and the international community remains concerned about them and we believe they are imprisoned or detained for the peaceful expression of political views.

SPECIFIC PRISONER AND DISSIDENT CASES -----

16. (C) Ambassador Marine also called for the release of specific high-profile sentenced political prisoners - Catholic priest Nguyen Van Ly and human rights lawyers Nguyen Van Dai and Le Thi Cong Nhan, as well as a dissident journalist held since April 2007 without charges, Tran Khai Thanh Thuy. He asked that, at a minimum, their prison conditions be improved, and access granted for relatives, attorneys, and Embassy officers. He also requested that lawyer Dai be given access to a Bible, noting that Secretary Rice had discussed the Dai and Nhan cases with Foreign Minister Khiem at a luncheon at the White House in June.

17. (C) In each instance, Vice Minister Huong outlined the GVN's case against them and cited how each had "crossed the line" from political dissent to active anti-regime activities. He said these individuals represented a "younger

generation" that had allied itself with overseas forces, in particular with forces in the United States, that are hostile to Vietnam and wish to foment the overthrow the regime. They had "used the internet against Vietnam," had accepted money to fund their activities and had organized to achieve their goals. He said the GVN legal system does regulate the activities of its citizens, while allowing for dissent and expression of differences of political opinion. The law does, however, clearly provide for punishment in the face of "excessive behavior" Huong explained.

18. (C) Regarding Nguyen Van Ly (AKA "Father Ly"), jailed Catholic priest from Hue and reported founder of the 8406 Bloc democracy movement, Huong noted that when he met with members of Congress in Washington in June, Ly's case was raised "incessantly." He said the USG "pays too much attention" to the Father Ly case. He noted that he had worked with Ambassador Marine and Ambassador-at-Large for Religious Freedom Hanford to release Ly from an earlier detention a few years ago. But he said Ly continued to criticize both the GVN and even the USG. He said many feel that Ly has psychological problems, and they consider him an "extremist." Ly demonstrated these traits during his February 2007 trial where he reportedly kicked the docket and screamed at the judges. Huong said he had warned Ambassador Hanford and Senator Brownback when they were in Vietnam in 2004 that Ly would get re-arrested if he continued and intensified his activities, and sure enough Ly continued "making campaigns" and trying to "rally people" until he became "unacceptable" to the government. Huong told us "we consulted with you" about Ly, but he continued mobilizing anti-GVN forces.

19. (C) According to Huong, Nguyen Van Dai and Le Thi Cong Nhan worked together in an effort to "stage a rally" at the Sheraton Hotel, where President Bush was staying during the November 2006 APEC Leaders Summit, creating a security issue which could not be ignored. Huong said that they later changed their mind, implying that this was why they weren't arrested at that time. They shifted their focus, Huong continued, to planning protests to disrupt the May 20, 2007 National Assembly Elections. In this effort, they worked in concert with and under the direction of Nguyen Van Ly, according to Huong, and received funding from "hostile forces" overseas. Ly, Dai and Nhan were also setting up an illegal opposition party, called the "Lac Hong" Party, that explicitly called for "regime change." They further called for "an uprising" around the time of the Tet New Year in February. Huong noted that even Dai's parents have disavowed him, while Nhan grew up without a father and is therefore

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"combative."

110. (C) Huong said that journalist Tran Khai Thanh Thuy "received thousands of dollars" from Ly Tong, the Vietnamese American dissident and ex-military pilot who was arrested in Thailand for hijacking an airplane to drop leaflets over HCMC calling for democracy during then-President Clinton's year 2000 visit. (Note: After serving time in a Thai prison for his actions, Tong was released from custody earlier this year, when a Thai court denied a Vietnamese extradition request. End note.). Huong said Tran Khai Thanh Thuy also received funding from France-based dissident Nguyen Gia Kieng, who leads the overseas Vietnamese organization "Rally for Democracy and Pluralism" in Paris. The money, Huong explained, was for bribes to encourage land protesters to congregate and "take to the streets against the government." According to Huong, Thuy has "confessed to all charges."

111. (C) Huong offered to share evidence with the U.S. Government documenting Vietnam's case against these individuals. He further stated that he had no choice but to arrest the four in the face of this evidence. "If I failed to act," he asserted, "I would not be in my job today" due to public criticism. Unchecked, hostile overseas organizations

and their agents in Vietnam would have succeeded in ruining President Triet's State visit to America, Huong said, providing finance and logistics to stage protests and anti-Hanoi campaigns. Huong reiterated that, in all these cases, the GVN arrested not political dissidents but "criminals" who took specific actions that contravene Vietnamese law. Nonetheless, he continued, the GVN frequently applies its amnesty policy and converts prisoners to "home arrest" status. Most of these individuals are young; if they "acknowledge their ways and incorrect thinking," the GVN can consider pardoning them, Huong stated, "as was the case with Le Quoc Quan."

¶12. (C) The Ambassador agreed that it was helpful to understand Vietnam's reasoning in taking action in certain cases, but he underscored that Vietnam and the United States take fundamentally different positions in defining what constitutes criminal behavior. The Ambassador encouraged the MPS to work with other GVN agencies and support a general review of Vietnam's criminal code to update its laws, especially in cases where vague provisions exist like "propaganda against the State." Huong responded that the GVN legal system had in fact changed significantly since the war, and for this reason, "we repealed Decree 31 of Administrative Probation." He acknowledged, though, that the GVN has indeed looked at penal codes in the United States and was open to cooperation.

NED SEEKS REGIME CHANGE IN VIETNAM

¶13. (C) Huong then spoke more of the case involving Le Quoc Quan, a lawyer recently released from pre-trial investigation. Quan was detained almost immediately after returning to Vietnam from a stint in the United States as a National Endowment for Democracy (NED) fellow. According to Vice Minister Huong, Le Quoc Quan received orders and funding from the NED to return to Vietnam, "run as a candidate" for the National Assembly elections in May, then once in the National Assembly to carry out activities to "foster regime change" in Vietnam. We only released him, Huong said, because he "never acted out on his aims."

CONGRESSWOMAN SANCHEZ: "A TOOL" OF THE VIETNAM REFORM PARTY

¶14. (C) Huong then criticized Congresswoman Loretta Sanchez, accusing her of attempting to meet secretly with political dissidents and staging unscheduled press conferences at the direct behest of the Vietnam Reform Party (AKA "Viet Tan"), an anti-regime organization based in the United States. According to Huong, the Viet Tan also partly financed her trip to Vietnam. Huong said "it was all planned" and Sanchez was "a tool" used by forces hostile to Vietnam's interests. Despite this, Huong said, we will not allow our bilateral relationship with the United States be held hostage by a few people.

¶15. (C) Huong described the two incidents in front of the

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Ambassador's residence in April, one when the Ambassador was with Congresswoman Sanchez, as related to the GVN's need to "protect the Ambassador's residence." (Note: In these separate incidents, police scuffled with invited spouses of jailed dissidents when trying to approach or enter the Ambassador's residence. End Note.) Huong explained that a previous U.S. Ambassador was "harassed" by invalid war veterans near his residence a few years ago, and since then he had been ordered to increase the security around diplomatic residences, in part to deter possible "terrorist attacks." The Ambassador responded that the women invited to

his residence posed no threat, and disputed Huong's account of these events. Further, because MPS made the decision to intervene, it had brought negative publicity and more damage on Vietnam, the Ambassador continued. The Ambassador characterized the incidents as "unfortunate" because "I had tried to carry out my duties without embarrassing the GVN" and only "when I was blocked from meeting my guests" did it become international news.

INTERNATIONAL RELIGIOUS FREEDOM

¶16. (C) Huong said the GVN considers the USG to be overly fixated on religious freedom issues. For example, Huong noted that the short list the Ambassador presented of prisoners currently eligible for amnesty under GVN law are mostly connected to the arrest and sentencing of a group of Caodaists (Buddhist sect) in 2005. At the same time, Huong said, the GVN has over 2,000 government officials and party members under detention nationwide on corruption-related charges and the like, yet the USG "focuses only" on those that are Caodai or Christian, such as jailed Catholic priest Nguyen Van Ly.

¶17. (C) Still, Huong praised the Ambassador for his work in engaging the GVN on religious issues, and cited our ongoing cooperation in the Central Highlands. He told the Ambassador that many religious organizations now have "legal status," and "by early next year, all these organizations should be legal." The Ambassador agreed that there had been much progress, especially in the Central Highlands, but cited ongoing concerns about the slowness of registrations of religious congregations in the Northwest to question Huong's prediction that the registration process could be completed so soon. He also cited continuing occasional reports of abuses of citizens' rights to religious freedom. The Ambassador noted that, in his recent conversation with Committee on Religious Affairs (CRA) Acting Chairman Nguyen The Doanh, he had noted that over 1,000 congregations in the North that still were not yet registered

VIETNAM'S BALANCING ACT BETWEEN BEIJING AND WASHINGTON

¶18. (C) Shifting gears, Huong told the Ambassador that the GVN leadership pays great attention to China; "they are our neighbors and we want to stay friends." He said the GVN also wanted to be friends with the United States, but there was concern within the leadership that the USG might try and "drive a wedge" between the GVN and Beijing. In addition, he said the GVN does not want the USG to drag Vietnam into conflict with other countries. He said China was quite nervous about Vietnam "getting too close with America." In particular, the Chinese have complained about Vietnam's growing security relationship and visits to the United States by GVN defense ministers and even about the fact Huong accompanied President Triet on his recent visit. Huong stated that Vietnam's leadership was afraid it would be the small country caught in the middle and ultimately "lose out," but he asserted that "we don't have to choose one side necessarily." He added the GVN and USG needed to find common interests and face our shared history of prior conflict.

¶19. (C) The Ambassador assured Huong that the USG does not seek to "get in between" Hanoi and Beijing, and that "we do not want your relationship with us, to hurt your relationship with China." The Ambassador added that the USG wants a strong, prosperous and independent Vietnam with whom we can partner, and "that's what we've been building on over the last 12 years."

SOVEREIGNTY DISPUTE

¶20. (C) The Ambassador noted the issue of disputes over sovereignty, where Vietnam's efforts to develop offshore petroleum resources in cooperation with energy companies BP and Conoco-Philips have been complicated by Chinese protests and actions, asking how these were affecting Vietnamese views toward China. Huong said the GVN believes international opinion, as well as UN conventions on ocean rights, back up Vietnam's claims. He said China's claim is largely based on "history rather than fact." The Ambassador suggested that the GVN engage China directly on this issue. Huong claimed the GVN was in direct discussions with China on this as well as on demarcation of the land border. He said ultimately Beijing wanted concessions to share in the wealth generated by these energy projects.

TIP: CHINA'S DEMOGRAPHIC TIME BOMB A BIG PROBLEM

¶21. (C) On the fight against trafficking in persons (TIP), Huong emphasized the GVN's commitment to its National Program of Action and work with domestic and international NGOs on this growing problem. He said the northern border with China is long, porous, and extremely difficult to control, with many avenues for smugglers. Moreover, China's skewed and worsening sex ratio provides an incentive for trafficking Vietnamese women to China. However, Huong added "many of these arranged marriages turn out fine." The Ambassador emphasized the need to tightly control marriage brokers and ensure all such brokering is legitimate and transparent to prevent seeing cases in which women are being forced into marriages against their will.

HISTORIC FACTORS IN BILATERAL RELATIONS

¶22. (C) Huong made repeated references to the lasting effects of the war with the United States, including about the impact of the war on views toward the United States. In terms of re-establishing official relations with the USG in the 1990s, Huong said the GVN made a decision in roughly 1992, to pursue this despite lingering hostility from the war and "much feeling that we could not trust you." Many were killed and maimed during the war, and many injured veterans are still alive and still resent the United States. He said there was also concern about U.S. veterans who hated Vietnam. However, he said GVN leaders saw "how close you were to Japan," despite the fact that "you dropped two atomic bombs on them." While there must have been many Japanese who hated the USG, Huong said, the United States managed to build a strong and positive partnership with Japan. The Ambassador responded that emotions against Vietnam among U.S. veterans had diminished and the vast majority of Americans want a positive partnership with a Vietnam that is prosperous and practices good governance.

EMBASSY PERIMETER SECURITY

¶23. (C) Huong said there had been public complaints about the "ugly brown containers" in front of the U.S. Embassy Chancery building in Hanoi that serve as barriers to create standoff and deter possible attacks on the building. Huong said he and his security colleagues in the Hanoi local government all agreed that they would like to be able to remove the containers. The Ambassador agreed that the containers are unsightly, and did not properly reflect the image the United

States wanted to convey to the Vietnamese people, but said this could only be done if there were other effective barriers, such as concrete flower-boxes, which could be put in their stead. He said the Chancery building was old and in need of repair, and that ultimately the USG wanted to move the Embassy out to a new property, but that negotiations had not yet reached their conclusion. Huong said he would talk to his staff to see what could be done to allow the Embassy to make security upgrades allowing the removal of the containers. He assured the Ambassador that the security of our Embassy and of the Consulate General in HCMC was a top

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priority for his office.

ROLE OF THE CENTRAL PARTY COMMITTEE

¶24. (C) Huong told the Ambassador that the Central Party Committee takes input from the public and is responsive to public opinion. It does this by working with the revolutionary mass organizations, especially the Vietnam Fatherland Front (VFF), which works together with provincial counterparts to poll the public. He also described a think tank within the Party, which analyzes public opinion, and screens and prioritizes issues to be brought to the attention of the Central Committee. He added that this is how the strategic decision was made, in 1992, to open up to the United States, with a couple of years of lag time between when the strategic decision is made and its implementation.

BURMA

¶25. (C) Huong said that during his trip to Washington this June he observed that President Bush "pays a lot of attention to Myanmar." The Ambassador cited our concern about the suffering Burmese people, and growing Chinese influence and organized crime in Northern Burma. He explained that we see some of these problems, such as refugee and illegal narcotic flows, affecting other countries in the region, including Vietnam. The Ambassador noted that, fifty years ago, Burma was the richest country in the region, and now it is the poorest, and the fundamental cause was poor leadership. Huong assured the Ambassador that the GVN was also concerned about these issues.

OVERSEAS VIETNAMESE ISSUES

¶26. (C) Huong noted that he had met with representatives of the Vietnamese American community while in the United States in June. He said that while there were still some "hostile forces" among the Viet Kieu community, the GVN wanted to do its best to make the Vietnamese people enjoy freedom and support ethnic Vietnamese all around the world so he supported his government's initiative to provide preferential visa treatment for Viet Kieu.

COMMENTS

¶27. (C) MPS Vice Minister Huong was animated during a discussion that lasted for over two and a half hours in his office and continued for an additional two hours over dinner. The fact that the exchange touched on sensitive issues, without Huong ever shutting off an avenue of discussion, underscores both the working relationship we have achieved

with MPS and Huong's office, and Huong's own perception that he is a major player in the GVN and in the bilateral relationship. While it is important and useful to hear Vietnamese justifications of its arrests and other actions to limit political discourse, the discussion confirms that we remain far apart from a common baseline of human rights. When Huong, in particular, entertains our requests for the release of, or leniency toward, a specific prisoner, he acts in accord with his perception of what benefits Vietnam tactically, not because he is persuaded that Vietnam's legal system must change. This said, Huong's comment that Vietnam has changed substantially over the past thirty years remains true. Common citizens enjoy many freedoms today that were undreamed of then. We will continue our policy of active engagement with the MPS at all levels.

¶28. (C) The geo-political discussion on China confirmed much of what we hear from other sources about Hanoi's caution in dealing with Beijing. There are pro-China and pro-United States camps within the top GVN leadership, and an active debate between the two apparently continues, although rarely impacting on operational issues. The GVN in effect, seeks to balance these key relationships to achieve its goals of economic development, social stability, and the continued

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dominance by the Communist Party of Vietnam. End comment.

MARINE